

Acosta, Ed

From: Julie Cook [jcook@dbh.co.la.ca.us]
Sent: Monday, June 09, 2003 11:45 AM
To: Acosta, Ed
Cc: Steven Tease
Subject: Proposed Office Sub-lease at P-7

Hello Ed -

As you can tell, this has gone back and forth between DBH and DRP ...

To save you from reviewing the entire chain of e-mails, here's a brief version ...

P-7 Tahiti Apts & Anchorage
Sublease request to use 110 sq ft for a marine engineering office
(previously a sailing club used that space)
Primary uses are residential & anchorage
Per DRP, sounds like the call for a plot plan review or not is up to you (no structural changes are proposed).

Let me know.

Thanks,

Julie

-----Original Message-----

From: Meneses, Frank [mailto:FMeneses@planning.co.la.ca.us]
Sent: Monday, June 09, 2003 10:59 AM
To: 'Julie Cook'; Meneses, Frank
Cc: Joe Chesler
Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

I agree with Kevin. However, Building and Safety may want this Department to approve a plot plan for zoning conformance anyway.

-----Original Message-----

From: Julie Cook [mailto:jcook@dbh.co.la.ca.us]
Sent: Monday, June 09, 2003 9:49 AM
To: Frank Meneses (E-mail)
Cc: Joe Chesler
Subject: FW: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Hi Frank -

Have you had a chance to review?

Thanks,

Julie

-----Original Message-----

From: Johnson, Kevin [mailto:kjohnson@planning.co.la.ca.us]
Sent: Wednesday, June 04, 2003 7:20 AM
To: 'Julie Cook'
Cc: Meneses, Frank
Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Changing from one office to another may not require anything from us unless they will need building permits to do some tenant improvements. A plot plan was approved in 2000 to allow a sailing club in that space.

Frank - Do you think some sort of Planning approval would be necessary to

change from a sailing club office to a marine engineering office? We've already determined that a marine office would be permitted due to the WOZ. I don't think they need to get Planning approval.

Thanks,

Kevin

-----Original Message-----

From: Julie Cook [mailto:jcook@dbh.co.la.ca.us]

Sent: Tuesday, June 03, 2003 5:19 PM

To: 'Johnson, Kevin'

Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Hi Kevin -

The space is only 110 sq ft. The prior use was by "Sea Mist," a sailing charter and instruction company.

Rather than a CDP to allow such a small use, couldn't a plot plan be used?

Julie

-----Original Message-----

From: Johnson, Kevin [mailto:kjohnson@planning.co.la.ca.us]

Sent: Thursday, May 29, 2003 9:16 AM

To: 'Julie Cook'

Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Hi Julie,

Given that there is no connection between the two uses, I would agree that the anchorage and the apartments would both be considered primary uses on the site and that with the WOZ, a marine consulting office would be permitted. Now the question becomes - is a CDP required? Is the use going to be established in an existing building and, if so, what is the current/past use of that building? (In other words, is it "development"?)

Kevin

-----Original Message-----

From: Julie Cook [mailto:jcook@dbh.co.la.ca.us]

Sent: Wednesday, May 28, 2003 11:59 AM

To: 'Johnson, Kevin'

Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

All anchorages w/apts (including Tahiti Marina) are open for rental to the public. A slip tenant does not have to be a residential tenant.

-----Original Message-----

From: Johnson, Kevin [mailto:kjohnson@planning.co.la.ca.us]

Sent: Wednesday, May 28, 2003 11:52 AM

To: 'Julie Cook'

Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Is the anchorage open to the public or is it only for the apartment residents (accessory to the apartments)?

-----Original Message-----

From: Julie Cook [mailto:jcook@dbh.co.la.ca.us]

Sent: Thursday, May 22, 2003 7:02 AM

To: Kevin Johnson (E-mail)

Cc: Joe Chesler; Steven Tease

Subject: FW: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Kevin -

Steven has provided additional information, which I think supports the engineering office as an accessory use to the main use ... that of an anchorage. Quite frankly, the history of the marina is that it was built as a small craft harbor ... due to difficulty at that time - early 1960's (when - hard to be believe now, but all the developers were actually innovative and taking a huge risk) - in finding lessees for anchorage and marine commercial uses, residential uses were allowed to be developed.

Please re-evaluate considering Steven's information below.

Thanks,

Julie

-----Original Message-----

From: Steven Tease
Sent: Wednesday, May 21, 2003 5:01 PM
To: Julie Cook
Cc: Steven Tease
Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Julie,

I would have to disagree with the assertion that anchorage is not considered a primary use. In my opinion, anchorage is the foremost use of this parcel. If there were no marina, there would be no apartments. The only reason this parcel was developed as it is is because the marina was built. The apartments complement the marina, not the other way around. The original emphasis of the planners and the developer was on water-use. Otherwise, these apartments would be no different from apartments anywhere else in LA.

The primary business of the tenant is marine environmental consulting, with particular attention to toxic issues such as lead based paint, lead ballast, asbestos containing materials, bilge and gray water treatment according to EPA, DHS, IMO, and C-PORT ACAPT compliance, risk assessment of vessel safety hazards on docks and waterfront facilities such as fungal infestation, hazmat, water quality testing, and environmental upgrades to boat engines, generators, and water makers. To me, this is clearly a boating related use.

Therefore, I believe it is primary use related.

Steven Tease

-----Original Message-----

From: Johnson, Kevin [mailto:kjohnson@planning.co.la.ca.us]
Sent: Wednesday, May 21, 2003 4:34 PM
To: 'Julie Cook'
Cc: Joe Chesler; Steven Tease
Subject: RE: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Julie,

I agree with your assessment below that an engineering office would not be permitted on this parcel. If the proposed office were marine/boating related it would almost meet the criteria in 22.46.1430.C except that it certainly would not be considered a customary accessory use to apartments. "Accessory use" is defined in the zoning code as "a use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or parcel of land, which accessory use does not alter said principal use nor serve property other than the lot or parcel of land on which the principal use is located." Correct me if I'm wrong, but I don't think the anchorage would be considered the principal use of the site.

Kevin

-----Original Message-----

From: Julie Cook [mailto:jcook@dbh.co.la.ca.us]
Sent: Wednesday, May 21, 2003 2:04 PM
To: Kevin Johnson (E-mail)
Cc: Joe Chesler; Steven Tease
Subject: Your LCP Interpretation - Proposed Office Sub-lease at P-7

Hi Kevin -

Tahiti Marina is a combined apartment and anchorage parcel ... Please see the bottom e-mail first, then Steven's reply. Is there a way to allow a 110 sq ft (yep, 10' x 11') engineering office at this location? As Steven notes, could we allow it as an accessory use to the anchorage?

Please advise.

Thanks,

Julie

> -----Original Message-----

> From: Steven Tease

> Sent: Wednesday, May 21, 2003 7:43 AM

> To: Julie Cook

> Subject: RE: Proposed Office Sub-lease at P-7

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> Julie -

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> * Anchorage is a primary use in the lease ("Tahiti Marina"). From the lease standpoint, I think we may be able to accept the use as ancillary to anchorage.

> * Please check with Kevin. I don't want to have to vacate the tenant unless we are absolutely sure. Even though we have done nothing wrong, it will create ill-will between us and the lessee and between us and the sublessee and could become bad publicity for the Department.

> * Would there be a way to get the use approved, such as a Related Use Request?

> * What does WOZ stand for?

>

>

> Steven Tease

>

>

> -----Original Message-----

> From: Julie Cook

> Sent: Wednesday, May 21, 2003 7:19 AM

> To: Steven Tease

> Cc: Joe Chesler

> Subject: Proposed Office Sub-lease at P-7

>

> Steven -

>

> In reviewing the proposed sublease for Certified Environmental Appraiser at Parcel 7 - Tahiti Marina, I checked the LCP. Parcel 7 contains the following land use categories:

>

> WOZ

> Residential III

> Water (funnel exp)

>

> WOZ allows some flexibility when certain requirements are met: hotel, visitor-serving commercial, open space, boat storage and marine commercial. Of these categories, only marine commercial allows office use ... and that is only when certain criteria (listed below) are met.

>

> Per 22.46.1430-C

> In marine commercial, office use is allowed - only when in conjunction with a primary use listed ...

>

> Office uses related to on-site boating activities, incl yacht brokerage, marine insurance, marine engineering and design services, provided the

- > area devoted to such use does not exceed 2000 sq ft, the business
- > conducted in the building is marine or boating-related and accessory to
- > the principal use of the parcel.
- >
- > Interpretation - As the principal use of the parcel is apartments, it is
- > doubtful that an engineering office - even if it was marine engineering -
- > would be allowed.
- >
- > Would you like me to confirm with Kevin Johnson?
- >
- > Julie
- >

